

CHAPTER 32 NURSING FACILITIESSec.
3200

Licensee

3200 LICENSEE

- 3200.1 Each nursing facility shall be licensed by the District of Columbia government.
- 3200.2 Each nursing facility shall comply with the requirements of 42 CFR Part 483; Subpart B (§§483.1 through 483.75); Subpart D (§§483.150 through 483.158); and Subpart E (§§483.200 through 483.206).
- 3200.3 Each nursing facility shall provide and maintain a supportive environment to promote self-esteem, and personal dignity and to ensure that the resident's health, psychological well-being, personal property, civil rights, and rights as a resident of the facility are respected and protected.
- 3200.4 Each nursing facility that is licensed by the District government on the effective date of this chapter shall comply with the requirements of this chapter within six (6) months of the effective date of this chapter. Any nursing facility that is not licensed by the District government on the effective day of this chapter shall comply with the requirements of this chapter before a license is issued by the District government.
- 3200.5 Each nursing facility shall have in effect a transfer agreement that meets the requirements of 42 USC §1395x(1) with one or more hospitals that have an agreement in effect that meets the requirements of 42 USC §1395cc.
- 3200.6 For the purpose of this chapter, the term "nursing facility" shall mean a twenty-four (24 hr.) hour institution or distinct part of a twenty-four (24 hr.) hour institution that:
- (a) Is primarily engaged in providing the following:
 - (1) Skilled nursing care and related services to residents who require medical or nursing care;
 - (2) Rehabilitation services for the rehabilitation of persons who are injured, disabled or sick; or
 - (3) On a regular basis, health-related care and services to individuals who because of their mental or physical condition require care, above the

level of room and board which may be made available to them only through institutional facilities; and

(b) Is not primarily for the care and treatment of mental diseases.

AUTHORITY: Unless otherwise noted, the authority for this chapter is §5 of the Health-Care and Community Residence Facility, Hospice and Home Care Licensure Act of 1983, D.C. Law 5-48, D.C. Code 32-1301 *et seq.* (1993 Repl. Vol.), Mayor's Order 84-105, dated June 19, 1984.

SOURCE: Final Rulemaking published at 42 DCR 567 (January 27, 1995).